Herbal Incense
An Awareness Presentation

NADAP

Disclaimer

- This presentation is meant to provide basic awareness information on herbal incense products, not to provide a threat assessment for any particular area
- There are numerous products being smoked for cannabis-like effects
- Manufacturers constantly change product ingredients and market products under new names
  - Constantly moving target
- Product names and lists, as well as the list of synthetic cannabinoids, in this presentation are not all inclusive
- Leadership must be engaged and be aware of local threats through the use of local Navy Drug and Alcohol Advisory Councils (NDAACs)

Herbal Incense

- Mix of herbs, synthetic cannabinoids, and/or other ingredients that are intended to be used as aromatic incense (potpourri) or sometimes burning incense
- Not “intended” for smoking
- As governments/countries ban certain synthetic cannabinoids, manufacturers will substitute with another legal one or stop producing one product and introduce another

Herbal Incense

- There are many products currently available
  - Spice is only one product line
  - “Spice” has been used to refer to herbal incense products
- Many of the products share very similar ingredients and characteristics

What is Spice?

- Product line marketed as aromatic or herbal incense
- Sold in Europe since 2006, possibly as early as 2004
- “Not for human consumption”
  - Keeps spice out of purview of FDA
  - All ingredients don’t have to be listed
- Already a significant problem in the European Union (EU)
- Spice (and/or synthetic cannabinoid ingredients) banned in or being considered for ban in much of EU and Japan

Spice Products

- Spice
- Spice Gold
- Spice Diamond
- Spice Tropical Synergy
- Spice Arctic Synergy
- Spice Gold Spirit
- PEP Spice

Other Herbal Incense Products

- Genie
- Yucatan Fire
- Dream
- Ex-ses
- Blaze
- Spike 99
- Blaze
- Spark
- Fusion
- MANY others!

Herbal Incense Ingredients

- One or more synthetic cannabinoid compounds
  - Primarily used in researching the effects of Δ^9 THC
- Other legal substances
  - Potentiate or add to effects
  - Create different effects between products
  - Many have psychoactive effects on their own
  - Some used as marijuana substitutes in the past
    - Users report cannabis-like effects

Synthetic Cannabinoids

- HU-210
  - Various studies show it is anywhere from 66-800 times more potent than Δ^9 THC[1]
  - Schedule I under CSA: Illegal in U.S.
- HU-211
  - Studies tentatively show no Δ^9 THC-like effects
  - Used to research treatment of brain damage related to stroke, brain trauma, glaucoma, and multiple sclerosis
- HU-311
  - Has potent antineoplastic and antiproliferative activity (cancer fighting drug)

[1] ***J. Med. Chem.*35 (11): 2065–9.**

Synthetic Cannabinoids

- CP 47,497 and analogues
  - 3 to 28 times more potent than Δ^9 THC
- CP 55,940
  - 45 times more potent than Δ^9 THC
- JWH-015
- JWH-018
- JWH-073
- WIN 55,212-2
  - Used to research treatment for Alzheimer's
  - Effects milder and don’t last as long as Δ^9 THC

Other Herbal Incense Ingredients

(Not all inclusive)

- Baybean
- Blue Lotus
- Lion's Tail
- Lousewort
- Indian Warrior
- Dwarf Scullcap
- Maconha Brava
- Indian Pennyworth
- Clove
- Hops
- Tribulus Terrestris
- Pink Lotus
- Marsh Mallow
- Red Clover
- Rose
- Vanilla and Honey
- Fly Agaric
- Siberian Motherwort
- Damiana
- Stevia Leaf
- Lemon Grass
- Turnera diffusa

Many other legal herbs and herbal extracts are used to

Why Do People Use It?

- Herbal incense products are smoked for marijuana-like effects
- Legal substitute to marijuana
- Other reasons: increase creativity, reduce stress, experience euphoria, increase personal insight, and increase appreciation for the arts
- There are numerous blogs and websites the provide users the opportunity to share experiences and information

Effects

- Marijuana-like effects: euphoria, giddiness, silliness, bloodshot eyes, impaired short-term memory and concentration, and “munchies.”
- Other common effects: cotton mouth, light sensitivity, a warm sensation in the limbs, dry eyes, paranoia, light headedness, auditory and visual hallucinations, painless head pressure, time distortion, panic attacks, delirium, impaired coordination, and sleeplessness
- Onset/duration: 5-10 minutes/8-12 hours

Effects

- A number of users experience hangover-like effects the morning after use including dry mouth, intense headaches
- Others warn users against driving while under the influence of spice
- Depending on the product, inhaled smoke is as harsh as marijuana smoke
  - Taste can vary from a very bad to very sweet taste
  - One user described the taste as “sickly sweet”

Effects

- A Sailor who had consumed an herbal incense product became unconscious and unresponsive at a restaurant.
- An airman in Germany became psychotic and combative after consuming an herbal incense product.

Dangers

- No longitudinal study on long-term effects
- One study from Dresden, Germany supported the suggestion that spice gold is strongly addictive and continued, heavy usage could result in withdrawal/dependency symptoms
  - Others: Spice may have adverse effects on the heart, circulation, and the nervous system, and in some cases could cause panic attacks and is potentially addictive

Dangers

- Spice website: Spice Diamond 50% more potent than Spice Gold
  - Advertising stronger products
- Users are experimenting with combining different products, which can dramatically change or increase the effects
- The effects of many of the synthetic cannabinoids used have not been studied

Appearance

- Most herbal incenses appear as an olive green leafy material very similar in appearance to marijuana, oregano

Sources

- Original sales made overseas
- Internet sales (numerous websites)
- Herbal incense can be bought in many different types of businesses in the U.S.
- Customs Seizures (46.64 kg)
  - 5 shipments between Nov 08 and Jan 09
  - 100+ pounds of Spice seized in JAN 2009 in Dayton, OH
  - Shipments originated in Czech Republic
  - Destination: Florida

Paraphernalia

- Herbal incense smokers will use the same or similar products used by marijuana smokers
  - Pipes, bongs, hookahs
  - Rolling papers
  - Blunts (hollowed out cigars packed with product)
- Herbal incense specific paraphernalia
  - Vapor Genie
  - Grinders (to further grind into a finer mixture)

SECNAVINST 5300.28D

"The unlawful use by persons in the DON of controlled substance analogues (designer drugs), *natural substances (e.g., fungi, excretions),* chemicals (e.g., chemicals wrongfully used as inhalants), propellants, and/or a prescribed or over-the-counter drug or pharmaceutical compound, with the intent to induce intoxication, excitement, or stupefaction of the central nervous system, is prohibited and will subject the violator to punitive action under the UCMJ or adverse administrative action or both."

OPNAVINST 5350.4D

"Drug abuse is also the wrongful use of controlled substance analogues, such as designer drugs, illicit use of anabolic steroids, and use of prescription and/or over-the-counter drugs and medications. *For the purpose of this instruction, this category includes consumption of substances for other than their intended use*, e.g., glue, air freshener, gasoline fume sniffing, *herbal products*, and other similar substances."

Interpretation

- Consumption of herbal incense to get high meets the criteria for drug abuse and is prohibited by both instructions
- Sailors using these substances are subject to disciplinary action and/or processed for administrative separation under Article 92

Interpretation

- OPNAV 5350.4D does not address the possession of herbal incense products
- COs can implement local policy (standing order) prohibiting the actual or attempted purchase, possession, use, distribution, and/or manufacture of herbal incense and similar substances (to include spice, salvia divinorum, jimsom weed, etc.) on government property in AOR
- Sailors violating local policy are disciplined and/or processed for ADSEP for misconduct (Article 92)

Controlled Substances Act 21 USC Part 1308 (Schedule I List)

- Definition of THCs: “tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, *and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant*”
- HU-210 (Controlled Substances Control # 7370)

Legal Issues

- Since the products not containing HU-210 are not illegal, Article 112a does not apply
  - Since urinalysis can not detect HU-210, Article 112a will still not apply even with products containing or suspected of containing HU-210
- Those found using these substances are subject to disciplinary action and/or ADSEP (Article 92) per the SECNAV and OPNAV
- DEA is reviewing the substances in Spice products for possible addition to the controlled substances list.

Legal Issues

- Local Policy/Standing orders banning spice, salvia divinorum, and others
  - Yokosuka Naval Base (2008)
  - Marine Corps Bases Japan (Sep 2008)
  - Commander, U.S. Air Forces Europe (Jan 09)
  - Commander, U.S. Naval Forces Japan (25JUN09)
  - COMMARFORPAC banned actual or attempted possession, use, sale, distribution or manufacture spice and salvia divinorum (Dec 09)

Case Study – NATTC Pensacola

- Numerous incidents involving Sailors (28+) using spice over 2 year period
- Involved Sailors were discharged or disciplined through the Navy justice system
- Basis for disciplinary action
  - SECNAVINST 5300.28D
  - OPNAVINST 5350.4D
  - UCMJ Article 92
- Implemented aggressive awareness and education campaign beginning with INDOC

Case Study – NATTC Pensacola

- Identified a local business as the key source
- Convened an Armed Forces Disciplinary Control Board
  - Board recommended placing the business off limits
- CNRSE agreed with the board's findings and placed the shop off limits on 9 April 2009
- No further incidents since all action taken

Lessons Learned

1. NATTC leadership was engaged
2. CO utilized existing policy and implemented local policy to address specific issue
3. Determined where it was coming from
4. Held Armed Forces Disciplinary Control Board – local business placed off limit
5. Command utilized available resources
6. Command implemented aggressive awareness campaign

Challenges - Legal

- Only herbal incense products containing HU-210 are illegal in the U.S.
  - Prohibited products will likely be labeled as not for sale in the U.S.
- Packaging lists ingredients, but does not list synthetic cannabinoids
- COs must consult their JAG to develop appropriate, legally defensible local policy

Challenges - Manufacturing

- Spice is just one of many herbal incense products
  - Many more products and synthetic cannabinoids are available
- Manufacturing occurs in countries where synthetic cannabinoids are legal
- Substances are getting stronger and stronger
- As detection catches up with manufacturing, makers will alter ingredients

Challenges - Marketing

- Product will not cause positive drug test
- “There's never been a case reported by our clients that any of our Herbal Smoke Blends caused them to fail a test”
- “YOU'LL NEVER FAIL A DRUG TEST”
- *Why would this be an issue for a product marketed as incense and not for human consumption?*

Challenges - Marketing

- Ingredients[1]
  - Synthetic cannabinoids not listed
  - Listed ingredients are not necessarily in the product
  - Consumers don’t know what they are actually getting
  - Raises questions of consumer protection and product misrepresentation

[1] Understanding the ‘Spice’ Phenomenon Thematic Paper, European Monitoring Centre for Drugs and

Challenges - Detection

- No detection with urinalysis
  - EU countries have detection capability via blood
- There are no set standards to test for the substances in herbal incense
  - Products can contain a different mix of the synthetic chemical substances
- Armed Forces Institute of Pathology (AFIP) not testing urine for herbal incense
  - Accepting samples for research but will not report results back to the command

Resources

- Actions available to commanding officers
  - COs do not need a positive urine result to begin ADSEP processing (deterrence)
  - Health and comfort barracks inspections (detection)
  - Local standing order (deterrence)
  - Awareness education (prevention)
- Legal
  - COs must utilize local JAG officer
  - Tim Suich, NPC Deputy Legal Counsel

Resources

- NADAP
  - Policy interpretation
  - Best practices
  - Awareness resources
- NADAP summits/seminars
  - Held at local commands
  - SMEs present to answer questions
- Armed Forces Disciplinary Control Board
  - Declare establishments off-limits to military personnel
- NDAACs
  - Utilize local resources to maintain heightened state of awareness on local threats